

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PALGE03493	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR2003/000576	International filing date (day/month/year) 24 MARCH 2003 (24.03.2003)	Priority date (day/month/year) 10 SEPTEMBER 2002 (10.09.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 F04B 39/00		
Applicant LG ELECTRONICS INC. et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 09 APRIL 2004 (09.04.2004)	Date of completion of this report 28 DECEMBER 2004 (28.12.2004)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer PARK, Jong Joo Telephone No. 82-42-481-5961 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/000576

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement) under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☒ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/000576

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: JP 61-129482 A (17 October 1986)

D2: JP 09-137788 A (27 April 1997)

1. Novelty and Industrial Applicability

Claims 1 to 19 meet the criteria for novelty and industrial applicability.

2. Inventive Step

The present invention relates to a hermetic compressor capable of improving the assembly process and productivity by decreasing the number of parts of a support unit for supporting a suction pipe. Said hermetic compressor comprises a compressor body, a suction pipe for supplying a refrigerant to the compressor body, a bracket, and a strap having a bending part integrally formed.

D1 describes the fixation of an outer periphery of an accumulator to a compressor by using a band (3) and a heat shrinking tube (11). D2 describes the fixation of an outer periphery of an accumulator to a compressor body by a fixing member (4) and a bracket (5).

(Continued on Supplemental Sheet.)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/000576

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of:

Box V.

Following are comparisons between the present claims and the cited documents D1 and D2:

Claim 1 is the same as D1 and D2 in the fixation of a pipe or an accumulator to an outer portion of a compressor body by a fixing unit comprising a bracket and a bend. However, claim 1 differs from D1 and D2 in the fixing position: claim 1 applies a fixing means to a pipe area where vibration can occur, whereas D1 and D2 applies a fixing means to an accumulator. Claim 1 also differs from D1 and D2 in the detailed feature of the fixing means: in claim 1, the strap winding the outer periphery of the pipe is integrally formed with the bending part, but the corresponding feature is not found in D1 and D2.

Accordingly, it would not be obvious to a person skilled in the art to derive the technical features of claim 1 from D1 and D2.

Claims 2-12 limit the features of claim 1. Accordingly, it would not be obvious to a person skilled in the art to derive the technical features of claims 2-12 from D1 and D2, either.

Claim 13 differs from D1 and D2 in the fixing position: claim 13 applies the fixing means to the pipe area where vibration can occur, whereas D1 and D2 apply the fixing means to the accumulator. Accordingly, it would not be obvious to a person skilled in the art to derive the technical feature of claim 13 from D1 and D2.

Claims 14-19 limit the technical features of claim 1. Accordingly, it would not be obvious to a person skilled in the art to derive the technical features of claims 14-19 from D1 and D2, either.